



07.25.05

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Jesus S. Ortega, et al.

TITLE : INSTRUCTION GENERATING
SYSTEM AND PROCESS VIA
SYMBOLIC REPRESENTATIONS

APPLICATION NO. : 10/007,358

FILED : November 5, 2001

CONFIRMATION NO. : 3572

EXAMINER : Zhou, Ting

ART UNIT : 2173

LAST OFFICE ACTION : February 22, 2005

ATTORNEY DOCKET NO. : D/A0A47
XERZ 2 00422

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **February 22, 2005** finally rejecting claims 1-9. The items checked below are appropriate:

1. STATUS OF APPLICANT

☒ This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$500.00

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3. **EXTENSION OF TERM**

☐ Applicant hereby petitions the Commissioner under 37 C.F.R. §1.136(a) for a _____-month extension of time up to and including _____ in which to file the accompanying Notice of Appeal.

4. **TOTAL FEES DUE**

The total fee due is:

Notice of Appeal Fee:	<u>\$500.00</u>
Extension of Time Fee:	<u>\$.00</u>

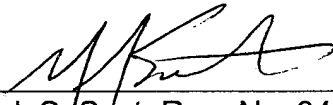
5. **METHOD OF PAYMENT**

☒ The fee for the Notice of Appeal is authorized to be charged to Deposit Account No. 24-0037 as indicated above.

☒ If any additional extension of time fees or other additional fees are required, this a request therefore, and authorization to charge Deposit Account No. 24-0037.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



Mark S. Svat, Reg. No. 34,261
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2579
216-861-5582

July 22, 2005
Date

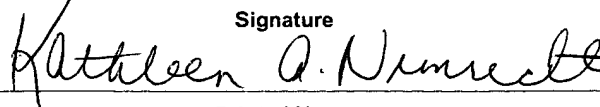
CERTIFICATE OF MAILING

I certify that this Notice Of Appeal From The Primary Examiner To The Board Of Patent Appeals And Interferences is being

☐ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

☐ transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.

☒ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Date	Printed Name
July 22, 2005	Kathleen A. Nimrichter

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